

In the matter of the improvement of Washington Street, as undertaken under Resolution of Intention No. 63: no protests having been filed after the publication and posting of the said Resolution of Intention, the Board passed Resolution Ordering the Work No. 406 by the following vote:-

AYES: Trustees, Hale, Hickok, Mettler, Spooner, Shattuck.
NOES: Trustees, None.
ABSENT: Trustees, None.

RESOLUTION NO. 406
RESOLUTION ORDERING THE WORK
Washington Street

RESOLVED, that whereas the Board of Trustees of the City of Lodi, did on the 21st day of May, A.D. 1923, pass its Resolution of Intention No. 63, to order the hereinafter described work to be done and improvement to be made in said City, which Resolution of Intention was duly and legally published as required by law, as appears from the affidavit of publication in The Lodi News made by Delmar B. Rinfret, now on file in the office of the City Clerk of said City of Lodi; and whereas, notices of the passage of said Resolution of Intention No. 63, headed, "Notice of Improvement", were duly and legally posted along the line of said contemplated work and improvement and in front of all the property liable to be assessed therefor, and on each and every street and highway in the assessment district described in said Resolution of Intention, in time, form, manner and number as required by law, after the passage of said Resolution of Intention, as appears from the affidavit of F. Christesen, who personally posted the same, and who, upon the completion of the posting of said notices, filed said affidavit in the office of said City Clerk, making oath that he completed the posting of said notices on the 29th day of May A.D. 1923; and whereas, no protests or objections in writing or otherwise to the proposed work, or against the extent of the proposed district, have been delivered to, or presented to, or filed with the Clerk of this Board of Trustees of said City of Lodi, up to the hour set for hearing protests as set forth in said Resolution of Intention, and this Board of Trustees having now acquired jurisdiction to order the proposed improvement, it is hereby-

RESOLVED, that the public interest and convenience require the work herein described and the Board of Trustees of the City of Lodi, hereby order the following work to be done and improvement to be made in said City, to-wit:

That Washington Street, in said City of Lodi, from the southerly line of Lockeford Street to a line parallel with and two (2) feet northerly from the northerly rail of the Southern Pacific Company branch line railroad to Valley Springs; and from a line parallel with and two (2) feet southerly from the southerly rail of the last mentioned railroad to the northerly line of Locust Street; and from the southerly line of Locust Street to the northerly line of Elm Street; and from the southerly line of Elm Street to the Northerly line of Pine Street; and from the southerly line of Pine Street to the northerly line of Oak Street; and from the southerly line of Oak Street to the Northerly line of Walnut Street; and from the southerly line of Walnut Street to the northerly line of Lodi Avenue; and from the southerly line of Lodi Avenue to the northerly line

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of Hilborn Street; and from the southerly line of Hilborn Street to the northerly line of Flora Street; and from the southerly line of Flora Street to the northerly line of Eden Street; and from the southerly line of Eden Street to the northerly line of Tokay Street; and from the southerly line of Tokay Street to the northerly line of Vine Street in said City of Lodi, including all street and alley crossings, terminations and opposite terminations within said limits.

BE IMPROVED:

(1) By grading the roadway and curb and gutter spaces of said portions of Washington Street.

(2) By constructing hydraulic concrete curbs and gutters of the combined type along each side of the roadway of said portions of said Washington Street.

(3) By paving the roadway of said portions of Washington Street between the gutter lines, with a pavement consisting of one and one-half (1½) inches of Warrenite Wearing Surface laid on an asphaltic base two and one-half (2½) inches in thickness.

Excepting, however, from all of the hereinabove described work such portions as are required by law to be kept in order or repair by any person or company having railroad tracks thereon; and excepting also from all of the hereinabove described work, any of said work already done to the official line and grade.

All of said work shall be done in accordance with the plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk, and where certain work proposed to be done on the respective street, avenues and highways aforementioned, is described as being between certain lines, it includes the doing of all such work upon the street intersections and terminations between such lines, unless otherwise shown on the plans; providing, however, that any duplication in such description shall be ignored.

Attention is also called to the Warrenite License Mixture agreement for California, executed by Warren Brothers Company, April 21st, 1923, the owner and holder of the patents and processes covering the said Warrenite pavement, which agreement is on file in the office of the City Clerk, and is hereby expressly referred to for greater certainty.

And, whereas, said contemplated work and improvement, in the opinion of the Board of Trustees, is of more than local or ordinary public benefit, said Board hereby makes the expense of said work or improvement chargeable upon a district, which district said Board hereby declares to be the district benefited by said work and improvement, and to be assessed to pay the cost and expenses thereof; which said district is bounded and described as follows:

Commencing at the intersection of the southerly line of Lockeford Street, in said City of Lodi, with the easterly line of "Mokelumne" (now City of Lodi), as the same is shown upon that certain map entitled "Mokelumne" and recorded in the office of the County Recorder in Vol. 2 of Maps, at Page 12, San Joaquin County Records, produced northerly to an intersection with said southerly line of Lockeford Street; thence running southerly on and along the said easterly line of "Mokelumne" and its projection, to the southerly line of Lodi Avenue; thence easterly on and along the said southerly line of Lodi Avenue to the Northeast corner of Lot 6 in Block 2, "Lodi Barnhart Tract", as said tract is shown on that certain map entitled "Lodi Barnhart Tract", and recorded in the office of the County Recorder in Vol. 3 at Page 48, and which said point is distant 320 feet easterly from the center line of Washington Street; thence southerly on a line parallel to and 320 feet easterly from the center line of Washington Street, to an intersection with the northerly line of Vine Street, thence westerly on and along said northerly line of Vine Street to a point distant thereon 330 feet westerly from the center line of Washington Street; thence northerly on a line distant 330 feet westerly from and parallel to the center line of Washington Street to an intersection with the southerly line of Lodi Avenue; thence westerly along the southerly line of said Lodi Avenue to the northwest corner of Lot 5 in Block 1, "Lodi Barnhart Tract", as above mentioned; thence in a direct line northerly to a point on the northerly line of Lodi Avenue which is distant 160 feet westerly from the westerly line of Washington Street measured perpendicularly to said westerly line of Washington Street; thence on a line northerly, which is distant 160 feet westerly from and parallel to the westerly line of Washington Street, to an intersection with the southerly line

of Lockeford Street; thence easterly on and along southerly line of Lockeford Street to the point of beginning.

Provided, nevertheless, that the streets, avenues and alleys situated within said district, shall be omitted from any assessment made or levied for paying the costs and expenses of the above mentioned work and improvement, the said streets, avenues and alleys belonging to said City, and being in use for the performance of a public function, to-wit: in use as public streets, avenues and alleys.

And it is further ordered and notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of seven per cent (7%) per annum, will be issued hereunder in the manner provided by the Improvement Bond Act of 1915, and Act Amendatory thereto, the last installment of which bonds shall mature nine years from the 2nd day of July next succeeding nine months from their date.

This resolution is adopted pursuant to the provisions of those certain Acts of the Legislature of the State of California, designated respectively as the "Improvement Act of 1911" and the "Improvement Bond Act of 1915", and Acts Amendatory thereto.

The City Clerk is hereby directed to post a notice of said work together with the plans and specifications therefor, conspicuously for five days on or near the council chamber door, inviting sealed proposals or bids for doing the work ordered. He is also directed to publish three times a notice inviting such proposals, and referring to the specifications posted or on file, in The Lodi News, a tri-weekly newspaper published for that purpose.